

Information on the New Ordinance Protecting Trees

The Borough of Leonia City Council and Mayor has approved an amended Chapter 275 "Trees" of the Code of the Borough of Leonia which will replace the existing Chapter 275 effective on April 1, 2020 (the "New Ordinance"). Until April 1, 2020, the provisions of the existing Chapter 275 apply. You may find on the Borough website (<https://leonianj.gov>) the New Ordinance and answers to frequently asked questions regarding the New Ordinance.

What is the New Ordinance? The New Ordinance addresses the removal of trees on private property. The New Ordinance does not prohibit the removal of trees on private property rather it implements a permitting process and through the collection of a Tree Replacement Fee will provide funds to invest in maintaining, protecting and replenishing our canopy. Only healthy trees with a Diameter at Breast Height ("DBH") of 8" or more are protected under the New Ordinance.

How the New Ordinance works: A property owner or contractor doing tree removal work applies for a Tree Removal Permit with the Building Department before removing a tree. The property owner pays a filing fee of \$20.00 and a Tree Replacement Fee of \$350.00 per tree to be removed at the time of filing the Tree Removal Permit. For dead, dying, diseased or fatally damaged trees, the Tree Replacement Fee is waived provided a written determination by a Licensed Tree Expert hired by the property owner and color photographs are provided with the application. Prior to issuing a Tree Removal Permit, the property owner must meet within 30 days of the application with a member of the Shade Tree Commission or designee. Following the meeting, if all the required information in the application for a Tree Removal Permit is complete, a Tree Removal Permit will be issued to the property owner.

No Tree Removal Permit is required for any tree that presents an imminent safety risk to person or property, provided, that, within 7 days following such removal, the property owner notifies the Building Department in writing of such emergency removal and provides color photographs of such tree prior to its removal.

A person found guilty of violating the existing or New Ordinance will be fined up to \$1,500 for each offense, plus a replacement assessment for any tree removed.



The Benefits of Healthy Trees: Leonia's canopy serves a wide variety of functions that promote the health, safety, and general welfare of our residents. These functions include:

- conserving energy by providing shade and evaporative cooling through transpiration;
- improving air quality by absorbing carbon dioxide and producing oxygen;
- providing habitat for wildlife;
- reducing storm runoff and the potential for soil erosion;
- increasing real property values; and
- enhancing aesthetic qualities that serve as a source of community pride and contribute to a better quality of life.

All these benefits increase as our canopy cover increases. By establishing and maintaining maximum tree cover, Leonia is able to realize the maximum benefits its urban forest can provide to all its residents.

Why Leonia Needs the New Tree Ordinance:

Leonia has lost 16% of its canopy since 2008. With 85% of our trees on private property, maintaining Leonia's canopy can't be achieved solely through planting trees on Borough property. Additionally, planting trees on the Borough right-of-way between the sidewalk and curb is becoming increasingly untenable given overhead electric wires and uplifting of sidewalks from maturing trees. While Leonia has building and zoning laws that control development there has been no restrictions on protecting against the loss of Leonia's green resource on private property. Many towns in NJ have adopted ordinances that govern the removal of trees on private property.

